

**IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF VIRGINIA  
BIG STONE GAP DIVISION**

**CRIMINAL MINUTES – GUILTY PLEA HEARING**

Case No.: 2:22CR00029-001

Date: 6/12/2024

**Defendant:** Michael Donovan White, custody**Counsel:** Christopher Leibig and Aaron Cook - CJA**TIME IN COURT:** 11:04-11:18, 2:16-2:58, 3:06-4:06 1h 56m

**PRESENT:**

JUDGE:	Michael F. Urbanski, CUSDJ
Deputy Clerk:	Kristin Ayersman
Court Reporter:	Cynthia Bragg
U. S. Attorney:	Lena Busscher
USPO:	Angela Sullivan
Case Agent:	Cody Vines, ATFE

**PROCEEDINGS:**

- ☒ Plea Agreement and SOF previously filed with court. An Amended Plea Agreement presented prior to court for filing.
- ☒ Defendant placed under oath. Court questions defendant regarding his/her physical and mental condition, and advises defendant of his/her rights, and the nature and possible consequences of plea. Dft states he does not agree with all statements made in the Statement of Facts. Dft states he has not used illegal or controlled substances within the last month. US notes that on a jail call 10 days ago, dft stated that he was 'high'. Court questions dft. Dft states that it's been longer than a month since he's been high. Court continues questioning dft re drug use. Recess for USPO to administer a drug test to dft 11:18 Reconvene 2:16 Court notes dft is still under oath, and questions dft again about drug use. Dft states one to two months ago. Court asks USPO re results of urine screen – dft tested negative for all substances that were tested for. No questions from counsel. Dft counsel states dft is competent and explains what was reviewed with client. Formal reading of SSI waived. Dft states that he does understand what he is charged with. The court reviews counts dft charged with. US summarizes provisions of the plea agreement. US reviews elements. Recess 2:58 Reconvene 3:06 Court outlines procedure going forward.
- ☒ Government summarizes evidence to support plea and rests. Dft states that he signed the SOF, dft counsel notes changes made (handwritten) and notes disagreements specifically, but states dft does not dispute fundamental facts. US responds. Court questions dft re SOF.

**DEFENDANT PLEADS:**

DEF. #	GUILTY	NOT GUILTY	NOLO	REMARKS
1	1s, 2s, 3s, 4s, 5s, 6s, 7s and 8s			

- ☒ Guilty plea form executed and filed in open court. Additional comments/concerns by parties addressed. Dft counsel requests the court's assistance to get him into the MAT program at WVRJ, by order. The court will confer with the USMS and enter a written order if appropriate. US does not take a position on that.
- ☒ Court finds defendant fully competent and capable of making a knowing and voluntary plea.
- ☒ Court accepts plea of guilty and finds the dft guilty of all 8 counts (1s, 2s, 3s, 4s, 5s, 6s, 7s and 8s). The court accepts the Rule 11 c1C plea.
- ☒ Court orders Presentence Report.
- ☒ Sentencing hearing scheduled for 11/20-22/2024 before Judge Urbanski in ABG.
- ☒ Defendant remanded to custody.